

AN ACT

relating to retaliation for municipal annexation disapproval.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 43.0688, Local Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The disapproval of the proposed annexation of an area under this subchapter does not affect any existing legal obligation of the municipality proposing the annexation to continue to provide governmental services in the area, including water or wastewater services, regardless of whether the municipality holds a certificate of convenience and necessity to serve the area.

(c) A municipality that makes a wholesale sale of water to a special district operating under Chapter 36 or Title 4, Water Code, may not charge rates for the water that are higher than rates charged in other similarly situated areas solely because the district is wholly or partly located in an area that disapproved of a proposed annexation under this subchapter.

SECTION 2. Section 43.0699, Local Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The disapproval of the proposed annexation of an area under this subchapter does not affect any existing legal obligation of the municipality proposing the annexation to continue to provide

1 governmental services in the area, including water or wastewater
2 services, regardless of whether the municipality holds a
3 certificate of convenience and necessity to serve the area.

4 (c) A municipality that makes a wholesale sale of water to a
5 special district operating under Chapter 36 or Title 4, Water Code,
6 may not charge rates for the water that are higher than rates
7 charged in other similarly situated areas solely because the
8 district is wholly or partly located in an area that disapproved of
9 a proposed annexation under this subchapter.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2019.

H.B. No. 4257

President of the Senate

Speaker of the House

I certify that H.B. No. 4257 was passed by the House on April 26, 2019, by the following vote: Yeas 138, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4257 was passed by the Senate on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor